

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *cg* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN.

GLEND A R. GRAY,
Plaintiff,
vs.
FEDEX CORPORATION,
Defendant.

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No. 05-2388-Ma/V

ORDER DENYING APPOINTMENT OF COUNSEL
AND
ORDER TO ISSUE AND EFFECT SERVICE OF PROCESS

Plaintiff Glenda R. Gray filed a pro se complaint pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., on May 26, 2005, along with a motion seeking leave to proceed in forma pauperis and for appointment of counsel. The Court issued an order on August 19, 2005 denying leave to proceed in forma pauperis and directing the plaintiff to pay the \$250 civil filing fee within thirty days. Plaintiff paid the filing fee on September 19, 2005. The Clerk shall record the defendant as FedEx Corporation.

As the plaintiff is not indigent, she is not eligible for appointed counsel. Accordingly, the motion for appointment of counsel is DENIED.

Within thirty (30) days of the date of entry of this order, the plaintiff shall personally appear at the Clerk's office and, upon presentation of a copy of this order, the Clerk shall provide plaintiff one (1) blank, unsigned summons. Pursuant to Fed. R. Civ. P. 4(b), the plaintiff is responsible for properly filling out the summons and presenting it to the Clerk for signature and seal. If the summons is in proper form, the Clerk shall sign, seal, and issue it to the plaintiff for service on the defendant. The plaintiff is responsible for ensuring that service is effected on the defendant pursuant to Fed. R. Civ. P. 4(h)(1).¹ The plaintiff shall file proof of service pursuant to Fed. R. Civ. P. 4(l).

It is ORDERED that the plaintiff shall serve a copy of every further document filed in this cause on the attorney for the defendant, or on the defendant if it has no attorney. The plaintiff shall make a certificate of service on every document filed. The plaintiff shall familiarize herself with the Federal Rules of Civil Procedure and the local rules of this Court.

The plaintiff shall promptly notify the Clerk of any change of address or whereabouts. Failure to comply with these requirements, or any other order of the Court, may result in this case being dismissed without further notice.

¹ Plaintiff also must comply with Rule 4(c)(2), which requires, in part: "Service may be effected by any person who is not a party and who is at least 18 years of age."

The plaintiff is advised that the time limit set forth in Fed. R. Civ. P. 4(m) shall commence running on the date of entry of this order.

IT IS SO ORDERED this 23^d day of November, 2005.

A handwritten signature in black ink, appearing to read 'SH Mays', followed by a horizontal line.

SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02388 was distributed by fax, mail, or direct printing on November 30, 2005 to the parties listed.

Glenda R. Gray
4420 Sphinx Cove
Memphis, TN 38128

Honorable Samuel Mays
US DISTRICT COURT